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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,479	02/22/2002	Siani Lynne Pearson	B-4517 619563-3	8505
22879	7590	10/31/2005		
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER AUGUSTIN, EVENS J	
			ART UNIT 3621	PAPER NUMBER

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,479

Applicant(s)

PEARSON ET AL.

Examiner

Evens Augustin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau. (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This is in response to an amendment file on August 23rd, 2005 for letter for patent filed on February 22nd, 2002. In the amendment, claim 11 has been. Claims 1-10 and 12-24 are pending in the letter.

Response to Arguments

1. The United States Patent And Trademark Office (USPTO) has considered the applicant's arguments filed on August 23rd, 2005, but has not been found to be persuasive.

Applicant argues that the prior arts fail to teach an inventive concept of a trusted server. England teaches an invention that in which a client communicates with a server. The communication process uses encryption technology for authentication and therefore makes the client/server communication a "trusted" one (column 8, lines 40-65). The client connects to a trusted server (column 15, lines 54-55).

Status of Claims

2. Claims 1-10 and 12-24 have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-10 and 12-24 are rejected under 35 U.S.C. 102(e) as being anticipated by England et al. (U.S 6,327,652).

As per claims 1-10 and 12-24, England et al. discloses a computer system that identifies computers in a network comprising of the following:

- A server (column 8, line 43) that makes challenges to user devices accessing content within a network (column 9, lines 41-51). The challenges can take place when certificates have to be renewed periodically (column 12, lines 37-40). A log or historical status of the user devices in the network is also being kept (column 13, lines 54-59), and the content of the log must be certified when the device is challenged (column 14, lines 38-39). The content provider server also stores (or keep record) of an “access predicate”, which the server makes available with the content and the “access predicate” contains response specifications that must be reconciled during access (column 19, lines 6-40) –
Claims 1, 2, 9, 21, 23, 24
- Keeping a log or historical status of the user devices in the network (column 13, lines 54-59), and the content of the log must be certified when the device is challenged (column 14, lines 38-39) – *Claim 3*
- Response message transmitted to the server, that includes the identity of the user devices (new or used) (column 9, lines 48-51) – *Claims 4-5*

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- In the challenge-response process (column 9, line 52), the content will not be accessed unless a trust relationship is established between the devices (column 10, lines 14-17) – *Claims 6-7*,
- The server is the main hub (gateway) of access of content for a particular content provider (figure 1) - *Claim 8*
- The “access predicate” contains unique identifiers that must be provided during access of the digital content (column 19, lines 15-39) - *Claim 10*
- The user-computing device (figure 1a, item 20) contains a processing unit (figure 20, item 21), arranged as part of a network to send and receive information (item 1a, items 51, 52). Information/content will not be accessed unless a trust relationship is established between the devices (column 10, lines 14-17) – *Claim 12*
- The user-computing device (figure 1a, item 20) contains a processing unit (figure 20, item 21), arranged as part of a network to send and receive information (item 1a, items 51, 52). Information/content will not be accessed unless a trust relationship is established between the devices (column 10, lines 14-17). The challenge-response process follows common protocols for data exchange (column 9, lines 52-55) – *Claims 13, 22*
- Counters can be used as part of a challenge as to whether or not a certificate is not valid or untrustworthy (column 12, lines 43-52, column 15, lines 50-60, column 19, lines 45-49) – *Claims 14-15*
- Making challenges to user devices accessing content within a network (column 9, lines 41-51). The challenges can take place when certificates have to be renewed periodically (column 12, lines 37-40). Storing (or keep record) of an “access predicate”, associated

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with the digital content and containing response specifications that must be reconciled during access (column 19, lines 6-40) – *Claims 16, 17*

- Keeping a log or historical status of the user devices in the network (column 13, lines 54-59), and the content of the log must be certified when the device is challenged (column 14, lines 38-39) – *Claim 18*
- The response message transmitted to the server and includes the identity of the user devices (new or used) (column 9, lines 48-51) - *Claim 19*
- The “access predicate” contains unique identifiers that must be provided during access of the digital content (column 19, lines 15-39), in order to establish a trust relationship (column 10, lines 14-17) – *Claim 20*

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evens Augustin whose telephone number is 571-272-6860. The examiner can normally be reached on Monday thru Friday 8 to 5 pm.

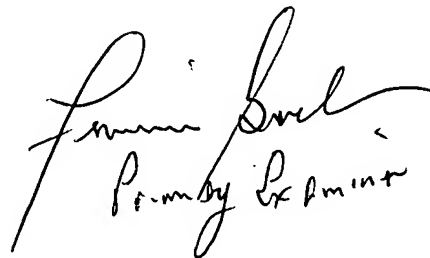
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammel can be reached on 571-272-6712.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-6584.

Evens J. Augustin
October 19, 2005
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Evens J. Augustin
Primary Examiner